

Exhibit R

VIA EMAIL & CERTIFIED MAIL

ATTN: Alphabet Board of Directors
Alphabet, Inc.
1600 Amphitheatre Pkwy
Mountain View, CA 94043

April 2, 2021.

Dear Alphabet Board of Directors:

My name is Alex Edson, I am the CEO of Business Casual Holdings, LLC., (owner of the ~967,000 subscriber YouTube channel known as “[Business Casual](#)”).

I send this letter to you as my final attempt to bring an urgent legal matter to your attention prior to pursuing litigation and other means of escalation.

For several months, your company (“your company”, “Google”, “YouTube”, and “Alphabet”) has willfully ignored my good faith communications pertaining to several critically urgent matters regarding illegal copyright infringement on your interactive website.

These illegal infringements specifically concern at least three (3) copyright strikes placed on a YouTube channel known as “RT Arabic”; a YouTube channel owned and controlled by the Russian government.

Despite the fact RT Arabic has received three (3) copyright strikes on its YouTube channel (each from Business Casual) within a span of fifty-two (52) days, RT Arabic has still not been terminated in accordance with YouTube’s repeat infringer policy, nor have any of RT Arabic’s associated channels (**Exhibit A**).

As this Board is no doubt aware, YouTube’s repeat infringer policy is straightforward and strictly enforced. “If a user gets three copyright strikes in 90 days, their account, along with any associated channels, will be terminated.” After receiving three (3) copyright strikes, YouTube then provides the user with seven (7) calendar days (known as a “courtesy period”) before terminating the infringing channel and all other channels associated with the repeat infringer.

A third copyright strike was applied to RT Arabic’s YouTube channel on March 4, 2021.

As of the date of this letter, RT Arabic’s “seven-day courtesy period” ended nearly a month ago (twenty-three calendar days ago, to be precise).

Clearly, YouTube is violating its own Rules and Policies (Exhibit B**).**

Adding insult to injury, YouTube continues to do so knowingly — as verified by the fact that several senior-level executives at Google have already acknowledged receipt of all relevant red flag knowledge concerning this matter. These senior-level Google executives specifically include:

- **Mel Silva** (Vice President and Managing Director for Google Australia and New Zealand)
- **Ed Miles** (Director of YouTube Partnerships for Australia and New Zealand and Head of TV, Film, and Sports for Asia Pacific)
- **Elisabet Lykhina** (Head of YouTube Enterprise Partnerships for the Commonwealth of Independent States)

Each of these senior-level Google executives have acknowledged receipt of correspondences identifying illegal and infringing videos published by RT Arabic copying elements of Business Casual's copyrighted videos. Additionally, each of these senior-level executives have acknowledged receipt Business Casual's federal lawsuit seeking a court order against RT Arabic to restrain RT Arabic from continuing to use Business Casual's copyrighted content in its videos pursuant to 17 U.S.C. § 512(g)(2)(B)-(C) *et al* after RT Arabic submitted counter notifications in response to Business Casual's DMCA takedown requests. For the avoidance of doubt: actual receipt of such correspondences from Business Casual constitutes red flag knowledge of RT Arabic's unauthorized copying of Business Casual's copyrighted videos.

The circumstances creating such red flag knowledge are described in detail below.

EVIDENCE OF RED FLAG KNOWLEDGE IGNORED.

On March 16, 2021, at 4:21 P.M. MST, Mel Silva, Vice President and Managing Director for Google Australia and New Zealand, was provided a copy of Business Casual's lawsuit against TV-Novosti (the owner of the RT Arabic YouTube channel), a "timeline of material events" pertaining to this situation, a complete list of RT Arabic's thirty-eight (38) associated channels and verification of their association, and other pertinent and irrefutable evidence concerning RT Arabic's pattern of racketeering through its willful and illegal copyright infringement activities (**Exhibit C**).

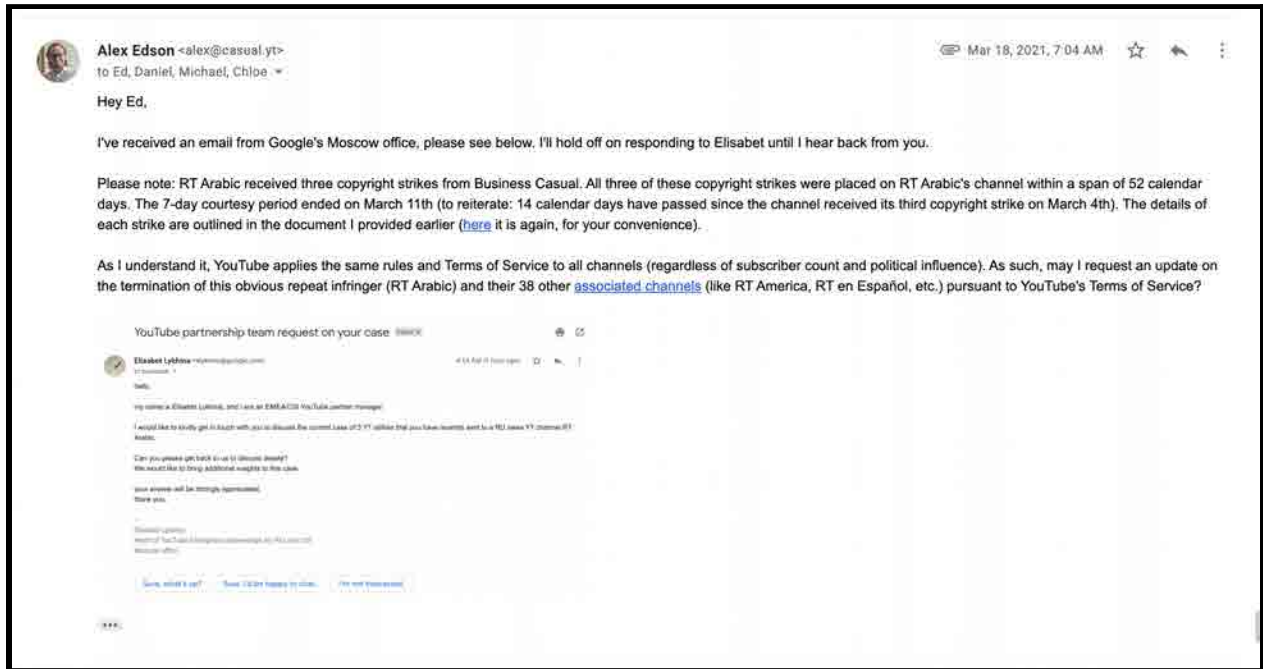
For reference, a copy of Business Casual's lawsuit filed against TV-Novosti is enclosed with this letter as **Exhibit D**, a timeline of all material events (the same one already provided to Mel Silva and other Google executives) concerning this situation is enclosed as **Exhibit E**, and a list of RT Arabic's thirty-eight associated channels is enclosed as **Exhibit F**.

Silva acknowledged receipt of the aforementioned materials (**Exhibit C – F**) and introduced Ed Miles, Director of YouTube Partnerships for Australia and New Zealand and Head of TV, Film, and Sports for Asia Pacific, to help investigate on March 16, 2021, at 10:02 PM MST (**Exhibit G**).

Miles received a copy of Business Casual's initial letter sent to Silva on March 16, 2021, which not only referenced Business Casual's lawsuit against RT Arabic, but included a copy of the lawsuit (**Exhibit H**).

When I asked Miles on March 18, 2021, if YouTube applies the same rules and Terms of Service to all channels (regardless of subscriber count and political influence), he did not immediately respond.

A screenshot of my March 18, 2021, email to Miles is enclosed as (**Exhibit I**).

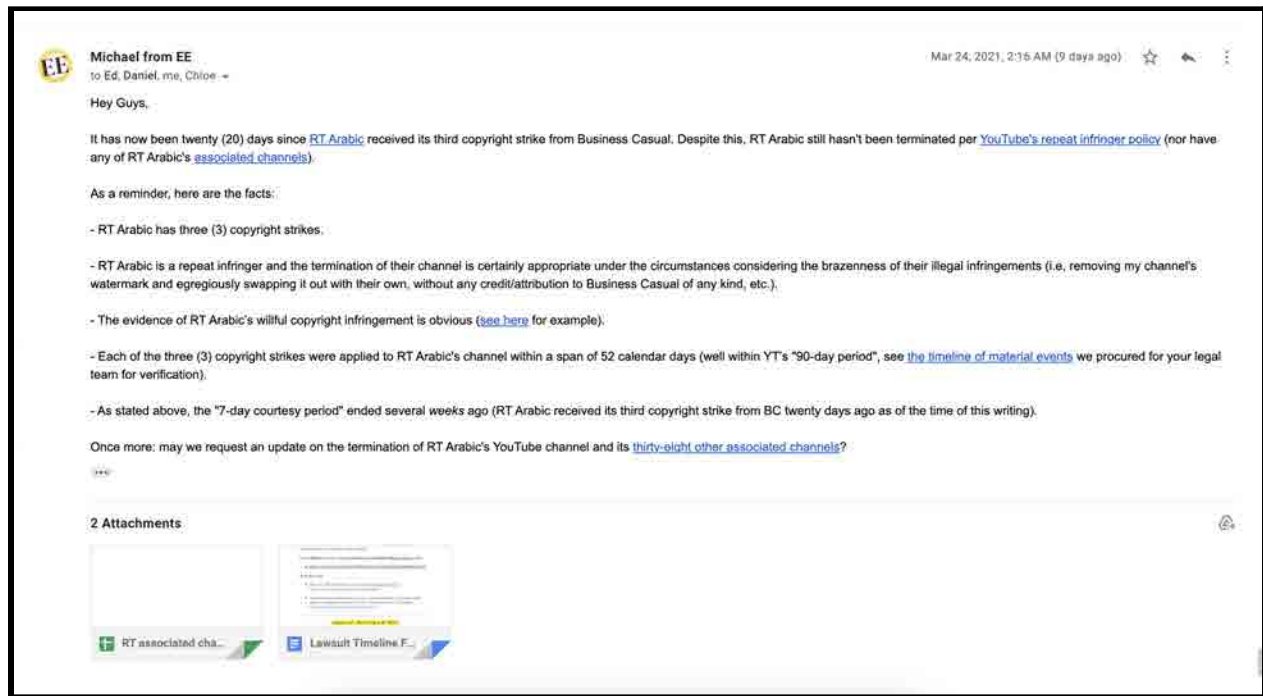


After not receiving any response from Miles for six (6) days, Business Casual followed-up.

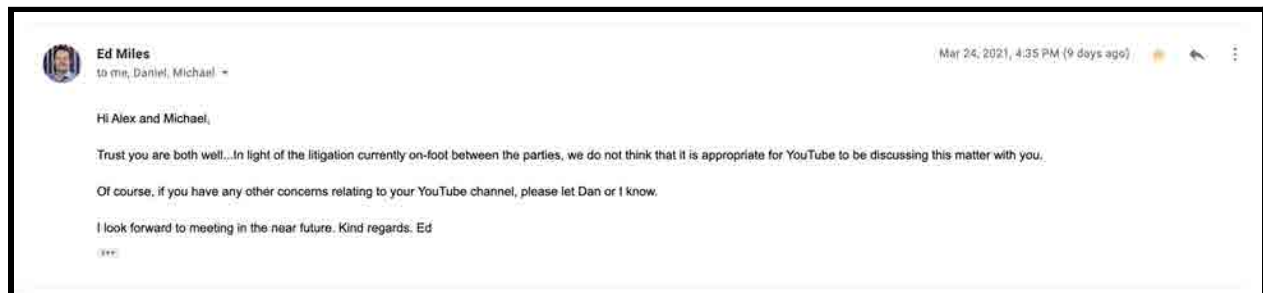
Screenshot of Business Casual's first follow-up email to Miles (**Exhibit J**):



Screenshot of Business Casual's second follow-up email to Miles (**Exhibit K**):



On March 24, 2021, at 4:35 PM MST, Miles responded (**Exhibit L**).



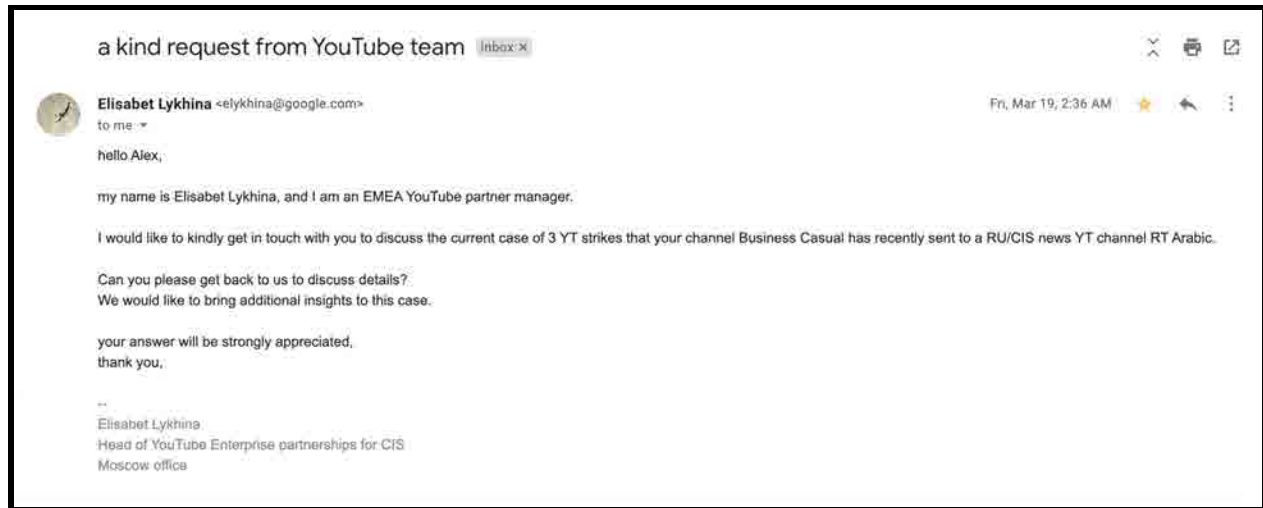
Miles's email intentionally uses the word "we", implying that he is responding on behalf of YouTube and Google as its authorized representative.

As a Director of Alphabet's Board, each of you know very well that Google's internal policy is to direct its employees who receive threats (or implied threats) of litigation against Google and its affiliates (like YouTube) to immediately; (a) discontinue the conversation with the potential plaintiff; and (b) refer the matter to Google's legal counsel for review. This policy was confirmed to us by another authorized representative of Google, in writing. As such, any rational person (i.e., a judge or jury) will conclude beyond a reasonable doubt that Miles' email was drafted by Google's legal counsel and thus represents your company's official position on this matter.

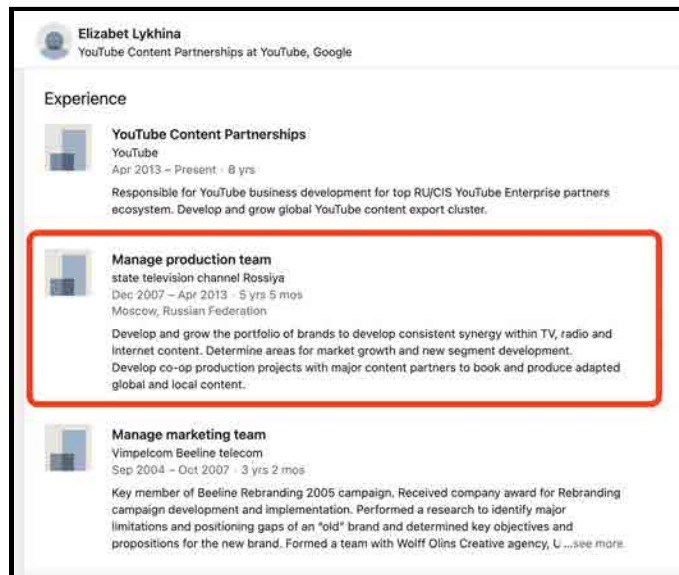
For the avoidance of doubt, Miles' email effectively confirms what we already suspected to be true:

Yes — YouTube does in-fact arbitrarily enforce its repeat infringer policy in obvious violation of its own rules and policies and ultimately the law. Furthermore, by not terminating RT Arabic, Google has sided with the Russian government.

On March 19, 2021, at 2:36 AM MST, I received the below email from Elisabet Lykhina, Head of YouTube Enterprise Partnerships for the Commonwealth of Independent States (**Exhibit M**):



Lykhina spent more than five (5) years as a managing producer for a Russian state-owned television network Россия сегодня (known in English as *Rossiya*) prior to joining YouTube, according to the information publicly stated in Lykhina's LinkedIn profile (**Exhibit N**).



To reiterate: a Moscow-based former managing producer of state-sanctioned propaganda for the Russian state-owned television network Россия is who Google apparently entrusts with investigating why the largest Russian state-owned news channel on YouTube hasn't been terminated in accordance with YouTube's repeat infringer policy.

Little wonder why the repeat infringer RT Arabic and its associated channels haven't been terminated in accordance with YouTube's repeat infringer policy and the law.

In light of the abundance of overwhelming obvious facts and evidence irrefutably in Google's possession, we firmly believe that any rational person can at least appreciate the potential appearance of collusion between Google and the Kremlin.

Furthermore, we are confident in our ability to prove beyond any reasonable doubt to any rational judge or jury that Google's legal team is no doubt aware of, at least, these five key facts:

- RT Arabic has three (3) copyright strikes on its YouTube channel from Business Casual.
- Each of the three (3) copyright strikes were applied to RT Arabic's channel within a span of fifty-two (52) calendar days — well within YouTube's "90-day period".
- RT Arabic is a repeat infringer and the termination of its channel is required under the circumstances considering the brazenness of its infringements (i.e, removing Business Casual's watermark and swapping it out with its own, without any credit/attribution to Business Casual of any kind, etc.).
- The evidence of RT Arabic's willful copyright infringement is obvious (see [here](#), [here](#), and [here](#), for just a few examples of the side-by-side infringements which Google has already acknowledged receipt of).
- The "7-day courtesy period" ended twenty-three calendar days ago (RT Arabic received its third copyright on March 4, 2021).

Google has actual red flag knowledge of the circumstances described above and despite this, YouTube has not terminated RT Arabic or its associated channels, as of the time of this writing.

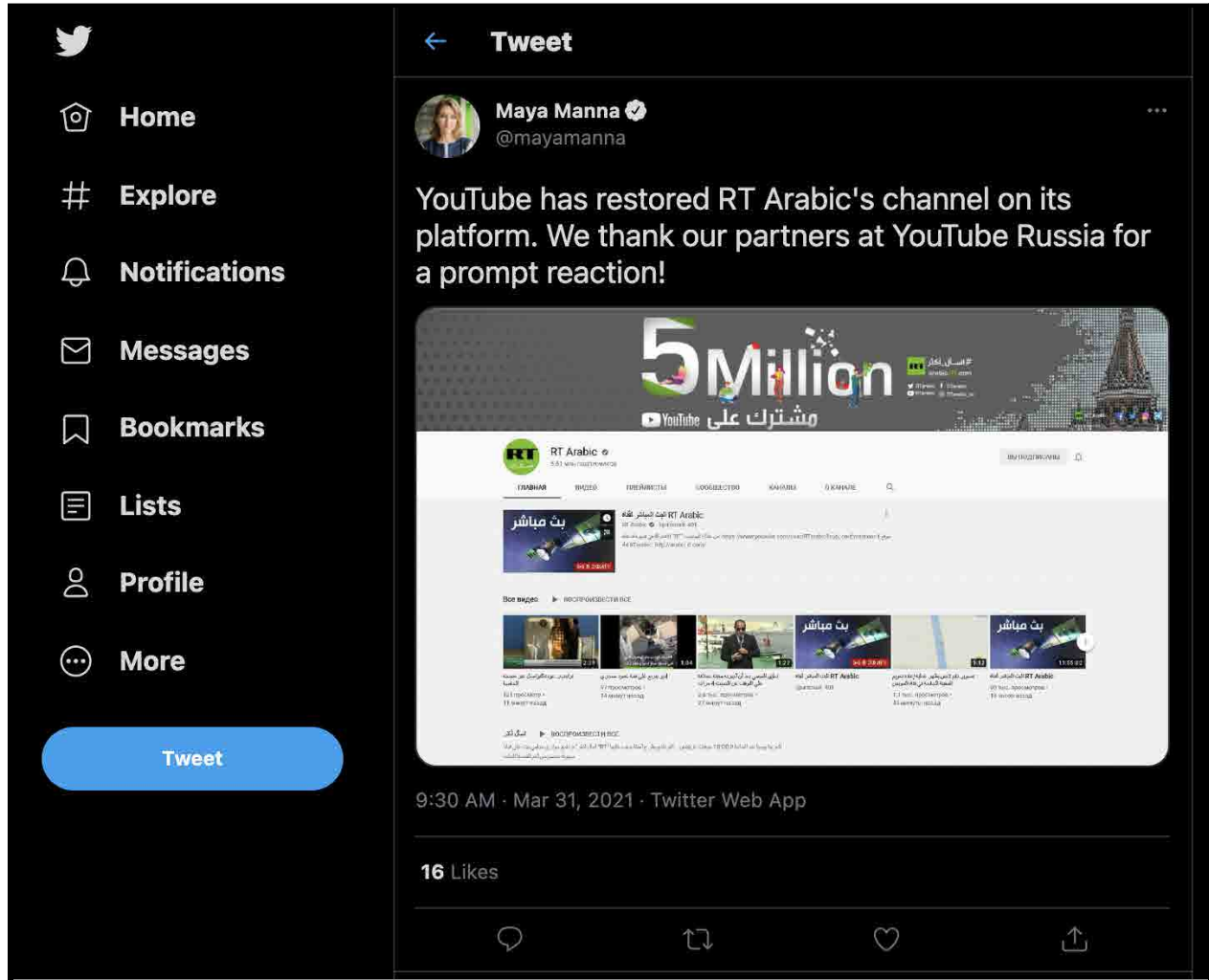
In fact, on March 31, 2021, YouTube illegally reinstated the repeat infringer (RT Arabic) after briefly terminating the channel for a few hours.

YouTube later confirmed in a statement to RT Arabic:

"YouTube has no plans to take any further action against RT Arabic ... we will analyze and draw conclusions about what needs to be done to avoid such unintentional actions in the future."

Below is a screenshot from the Head of RT Arabic, Maya Manna, publicly thanking YouTube for reinstating the repeat infringer channel (this screenshot was captured prior to the tweet's deletion).

This screenshot is also enclosed as **Exhibit Q**.



YouTube's reinstatement of RT Arabic — a repeat infringer — was a direct violation of 17 U.S. Code § 512 (i)(1)(A). Consequently, if YouTube wishes to remain within the safe harbor of § 512 of the DMCA, YouTube must immediately remedy this situation by terminating RT Arabic's YouTube channel. As any rational judge or jury would concur, YouTube has obviously not only failed to "reasonably implement" its repeat infringer policy with respect to RT Arabic, but rather, YouTube has *completely failed* to implement its repeat infringer policy. Please be advised: **if we do not receive confirmation within ten (10) business days from the date of this letter (by 9:00 A.M. MST, on April 16th, 2021), that RT Arabic's YouTube's channel has been terminated in accordance with YouTube's repeat infringer policy and the law, my legal counsel shall proceed with filing a federal lawsuit against Alphabet and its relevant subsidiaries in the Second Circuit.**

After filing this lawsuit, a courtesy copy will be provided to each member of the U.S. Senate and Congress, once a week, every week, until a proper investigation is conducted into why Google is actively refusing to terminate a YouTube channel that is obviously a repeat infringer, in violation of YouTube's own repeat infringer policies and ultimately the law.

We await your expeditious response.

Very truly yours,

A handwritten signature in black ink, appearing to be 'AE' or 'Alex Edson'.

Alex Edson

CEO | Business Casual Holdings, LLC. ([YouTube.com/BusinessCasual](https://www.youtube.com/BusinessCasual))

Exhibit A

- **RT Arabic copyright strike #1:** <https://www.youtube.com/watch?v=NsVIUcRZa2Y>
(first copyright strike was applied to RT Arabic's YouTube channel on January 11, 2021)
 - **RT Arabic copyright strike #2:** <https://www.youtube.com/watch?v=3AokIYKBz8I>
(second strike was applied to RT Arabic's YouTube channel on February 18, 2021)
 - **RT Arabic copyright strike #3:** <https://www.youtube.com/watch?v=ju5ScQ-yibw>
(third copyright strike was applied to RT Arabic's YouTube channel on March 4, 2021)
-

Exhibit B

What happens when you get a copyright strike

We all make mistakes. When you get a copyright strike, it acts as a warning. The first time you get a copyright strike, you'll need to go through Copyright School. Copyright School helps creators understand copyright and how it's enforced at YouTube.

Copyright strikes may affect your ability to monetize. In addition, if your live stream is removed for copyright, your access to live streaming will be restricted for 90 days.

If you get 3 copyright strikes:

- Your account, along with any associated channels, is subject to termination.
- All the videos uploaded to your account will be removed.
- You can't create new channels.

Courtesy Period

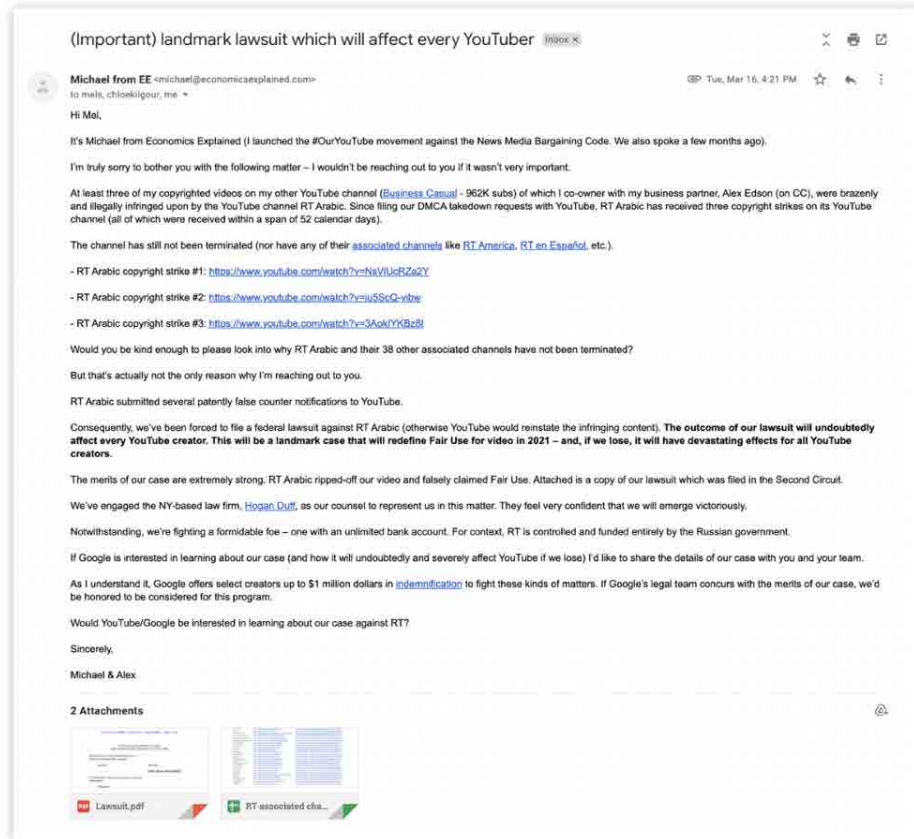
If your channel is part of the YouTube Partner Program, you're eligible for a 7 day courtesy period. After 3 copyright strikes, you'll have 7 additional days to act before your channel is disabled. During this period, your copyright strikes won't expire and you can't upload new videos. Your channel will remain live and you can access it to seek a resolution for your strikes. If you submit a counter notification, your channel won't be disabled while the counter notification is unresolved. If the counter notification is resolved in your favor, or the claim is retracted, your channel won't be impacted.

What action does YouTube take for copyright infringement?

If a copyright owner submits a valid DMCA complaint through our webform, we take down that video and apply a **copyright strike**. If a user gets three copyright strikes in 90 days, their account, along with any associated channels, will be terminated. We also have tools to help Creators resolve their copyright strikes - including waiting for it to expire after 90 days, requesting a retraction, or submitting a counter notification.

- <https://www.youtube.com/howyoutubeworks/policies/copyright/#enforcing-copyright>
- <https://support.google.com/youtube/answer/2814000?hl=en#zippy=%2Ccourtesy-period%2Cwhat-happens-when-you-get-a-copyright-strike>

Exhibit C



- https://drive.google.com/file/d/1mnnl1SYaLV-oAObeLxXfAT_ZC5cPBiDU/view

Exhibit D

Case 1:21-cv-02007-JGK Document 7 Filed 03/24/21 Page 1 of 13

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

BUSINESS CASUAL HOLDINGS, LLC,
a Delaware limited liability company,

Plaintiff,

Case No.: 1:21-cv-2007-JGK

v.

JURY TRIAL DEMANDED

TV-NOVOSTI, a Russian autonomous
non-profit organization,

Defendant.

- *Business Casual Holdings, LLC v. TV-Novosti* (PFF courtesy copy of lawsuit):
<https://drive.google.com/file/d/1XxJMg2POHxVnLejuBp7ZjEgWYWIbpmQ/view>
-

Exhibit E

- Timeline of all material events:

<https://docs.google.com/document/d/1X9EjRvPB47O1BDOuDlNrJlDGVGzgWDl4Zlaf1tp1b20>

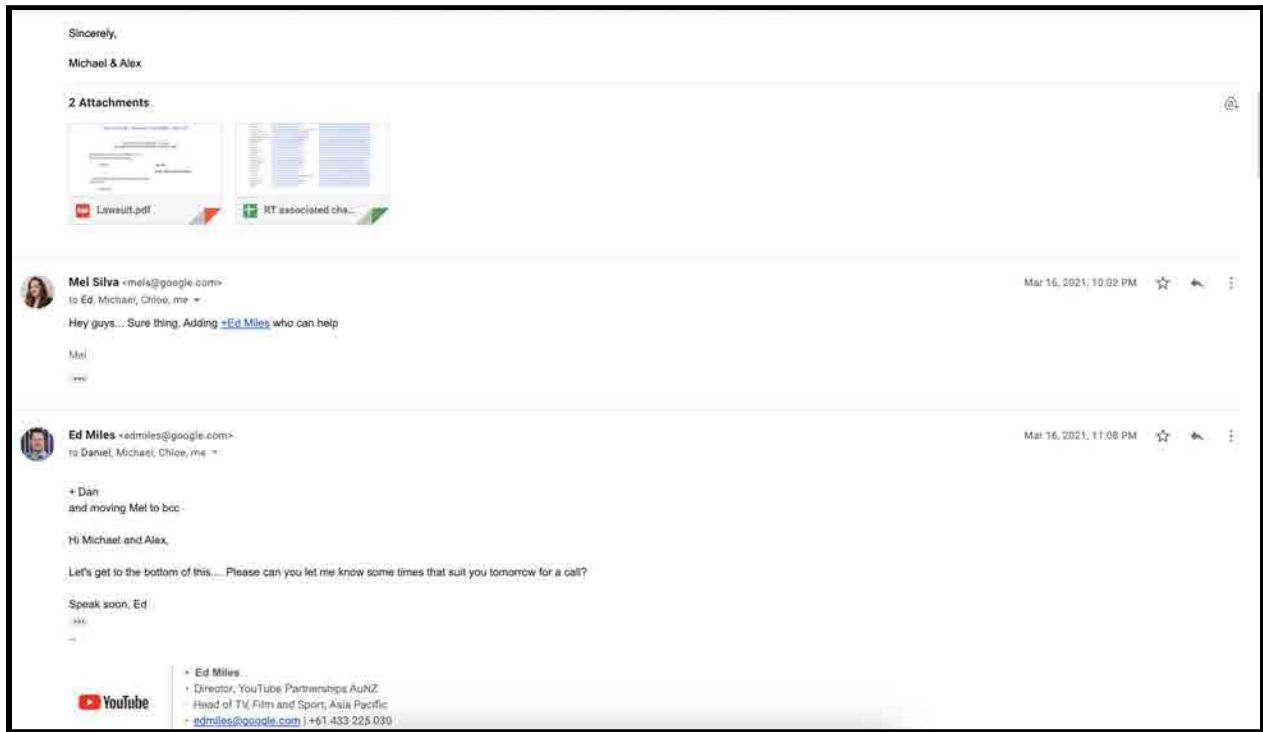
Exhibit F

| RT Arabic associated channels | | |
|-------------------------------|---|---|
| Channel Name | YouTube URL | Verification of RT association |
| RT en Espanol | https://www.youtube.com/user/ActualidadRT | https://drive.google.com/file/d/1_lb3VSs6a2iUAQgnD95_1Fa0c4sTYib/view |
| RT Arabic | https://www.youtube.com/user/RTArabic | https://drive.google.com/file/d/1Dqir6_17rjicncHfX_9_XC0rZ35o2A/view |
| Ruptly | https://www.youtube.com/user/RuptlyTV | https://drive.google.com/file/d/1ffxQnwR11Jk2pQDlnYGLPFuTnRh-mwq/view |
| RT | https://www.youtube.com/user/RussiaToday | https://drive.google.com/file/d/1v8W7H4ca8XCDS4bM58Sj3zJDCvviOQA/view |
| RT на русском | https://www.youtube.com/user/rtussian | https://drive.google.com/file/d/1di4Jtq-qz87RT_Qgnt7uJ3KepZ4uTz/view |
| RT DE | https://www.youtube.com/user/rtdeutsch | https://drive.google.com/file/d/1iQvqN3jx0DyJwdFHSWswav9id6_Jv3/view |
| RT Documentary | https://www.youtube.com/user/RTDocumentaries | https://drive.google.com/file/d/1AAXKu-yP21cAQUfghb8JZ_-8wjNhoPJ5/view |
| RT France | https://www.youtube.com/user/rtfrancais | https://drive.google.com/file/d/1vs53QKPkyqWQHA22n5iO6RV_1102MRy/view |
| Ah! les Va | https://www.youtube.com/c/Ah!lesVa | https://drive.google.com/file/d/1qg4ewiP3T6uqCh-Q387Vv5Km20AmuTq/view |
| RT на Русском | https://www.youtube.com/user/RTRussian | https://drive.google.com/file/d/1Vds51lgwoDX9cpqhfADsb932Jm9az/view |
| Documentales de RT | https://www.youtube.com/c/DocumentalesdeRT | https://drive.google.com/file/d/1T40F9P8y55khrE2NW0dm1bR605whBkrj/view |
| RT America | https://www.youtube.com/user/RTAmerica | https://drive.google.com/file/d/1Vmgz1KzHuQmn1WHEQZ-AL2IFAR8yW0/view |
| RT Online | https://www.youtube.com/c/rtonlinearabic | https://drive.google.com/file/d/1MIF9bCernJbWxHLrzT0u_otD-U9Ca8/view |
| RT UK | https://www.youtube.com/user/RTUKnews | https://drive.google.com/file/d/1J6Z8C_SYAr63ozgaZKM7_bmfEfs0s/view |
| RT Sport MMA | https://www.youtube.com/user/RTSportNews | https://drive.google.com/file/d/1D5G4BMTCIWZ29Q2xgk2Gy-rh1-fxBLd/view |
| RT en vivo | https://www.youtube.com/c/RTenVivo | https://drive.google.com/file/d/1MdSuiNGqf3DdUDj7S1NkzDL8D8Tsimkn/view |
| RT Play en Espanol | https://www.youtube.com/channel/UCFWjYR_58yLVL4cCPX16w | https://drive.google.com/file/d/1f1baqxH8EMxz_g6aW_nBH28cQBVC99/view |
| Keiser Report en Español | https://www.youtube.com/c/KeiserReportenEspañol | https://drive.google.com/file/d/14PIRyNn0ESTM3IZ8tBzEFg34PPTnyshd/view |
| Going Underground on RT | https://www.youtube.com/user/GoingUndergroundRT | https://drive.google.com/file/d/1vuhACWk2MnB_WGPsqaqnhrzch_vayVCT/view |
| Прекрасная Россия бу-бу-бу | https://www.youtube.com/c/ПрекраснаяРоссиябубубу | https://drive.google.com/file/d/1b0NRVNUHPeL0PmIQWnQgSN2MAJ1Gqfa6/view |
| Redacted Tonight | https://www.youtube.com/user/redactedtonight | https://drive.google.com/file/d/1f6ZVcFqXQuVfsgGxWnqcn6xRHElnwy/view |
| ALT ИСТОРИЯ | https://www.youtube.com/c/Altistoria/featured | https://drive.google.com/file/d/1jyzekpyj7ue72ks21SocL6lflBN5QbM/view |
| Boom Bust | https://www.youtube.com/user/BoomBustRT | https://drive.google.com/file/d/18Z28pWuK83Gz47adP8DzJaZnTBJU8s/view |
| 451 Grad | https://www.youtube.com/c/451Grad | https://drive.google.com/file/d/1TtQxj4Qmj1QG_CxR9zv2iO4LpCzwKS2Y/view |
| WorldsApartRT | https://www.youtube.com/user/WorldsApartRT | https://drive.google.com/file/d/1TaRymyjiJih_h78BkCpF_qGyYxhQzZH/view |
| Der Fehlende Part | https://www.youtube.com/c/DerFehlendePart | https://drive.google.com/file/d/10UeAJWudpyAeF3wE8qCsaACyMqQLT2/view |
| primetimeru | https://www.youtube.com/user/primetimeru | https://drive.google.com/file/d/11DcoP1dWj1duwp6_3WAY7y2mq8xvnp1/view |
| The Big Picture RT | https://www.youtube.com/user/TheBigPictureRT | https://drive.google.com/file/d/1bETn89qTUJokz8GZEBhOXpLMuuG-PQ/view |
| Breaking the Set | https://www.youtube.com/user/breakingtheset | https://drive.google.com/file/d/1VNgv1siBRClPaF51n2sbvgTf8YfYH4/view |
| Watching the Hawks RT | https://www.youtube.com/c/WatchingTheHawks | https://drive.google.com/file/d/1vCkpN51oMiutKzOOctAJ_qoJxt5Z7FD/view |
| The AlyonaShow | https://www.youtube.com/user/TheAlyonaShow | https://drive.google.com/file/d/11gly4cyYah-Ce23-UNZg00qAacnfq49/view |
| La lista de Erick | https://www.youtube.com/c/LaListadeErick | https://drive.google.com/file/d/14Gvjf9VnX1HgB_aEDpBDZBsyGLBQgB6U/view |
| MoscowOut | https://www.youtube.com/user/MoscowOut | https://drive.google.com/file/d/1Y2Ovg0voXsiEMqj3km_fQHMmYg14gF/view |
| RT Chinese | https://www.youtube.com/c/RTChinese | https://drive.google.com/file/d/1WfDeaYlQDBczrY9VvG10y9WxQLJoQ/view |
| Eat the Press | https://www.youtube.com/channel/UCJTpFYmos3AlcFBX3dG5cA | https://drive.google.com/file/d/1Sc0AZych_8T2GvNkyE9Lh9QOYCSM65UC/view |
| SOAPBOX | https://www.youtube.com/user/InTheNowRT | https://drive.google.com/file/d/1nHGERPj0G5C6xY5k3QSu7m6_s29aDR/view |
| LearnRussianwithRT | https://www.youtube.com/user/LearnRussianwithRT | https://drive.google.com/file/d/1eBeZJB1x6d05T4kpb8PqXPk3QJCZQ/view |
| CapitalAccount | https://www.youtube.com/user/CapitalAccount | https://drive.google.com/file/d/1loE9YqC6AA3aThFTD04rkFlpYsK_eut/view |
| RT Digital | https://www.youtube.com/c/RTDigital | https://drive.google.com/file/d/1v5vq0mZ8UpckrpnvldM-m8exhbrmwH/view |

- RT Arabic's associated channels:

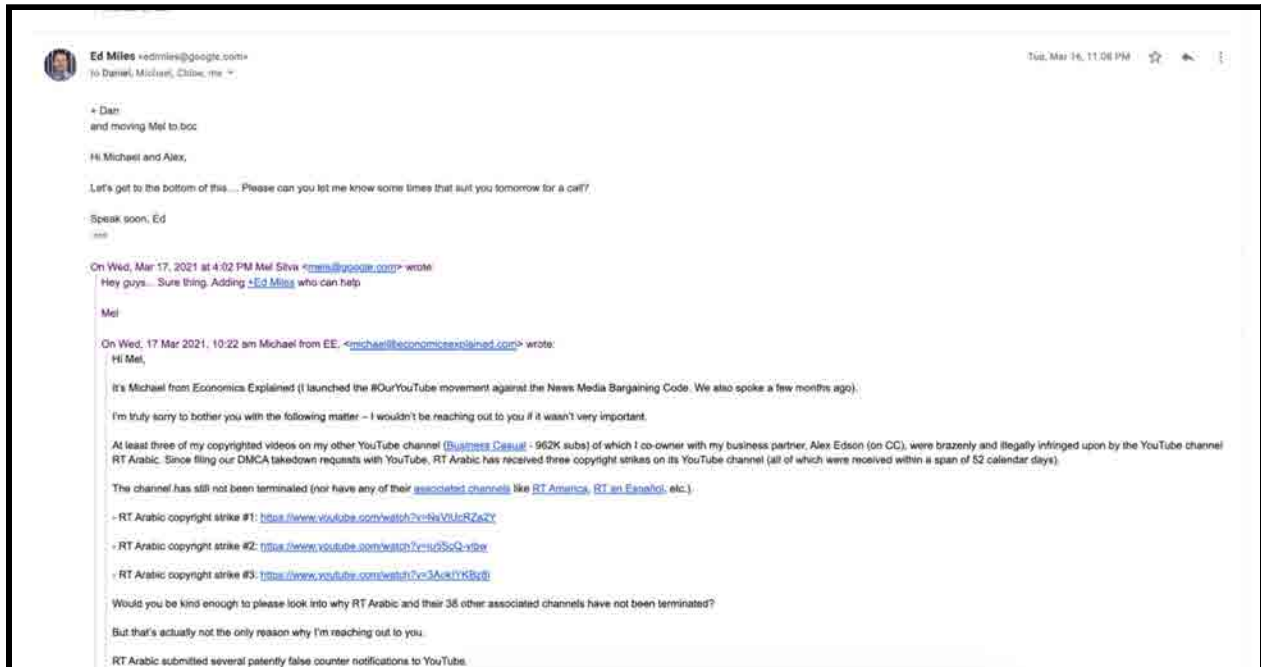
<https://docs.google.com/spreadsheets/d/1Mi0TDY1urirgP4XRCAJM7cKiLEEL1yPCmNtbKbkKyyQ/edit>

Exhibit G



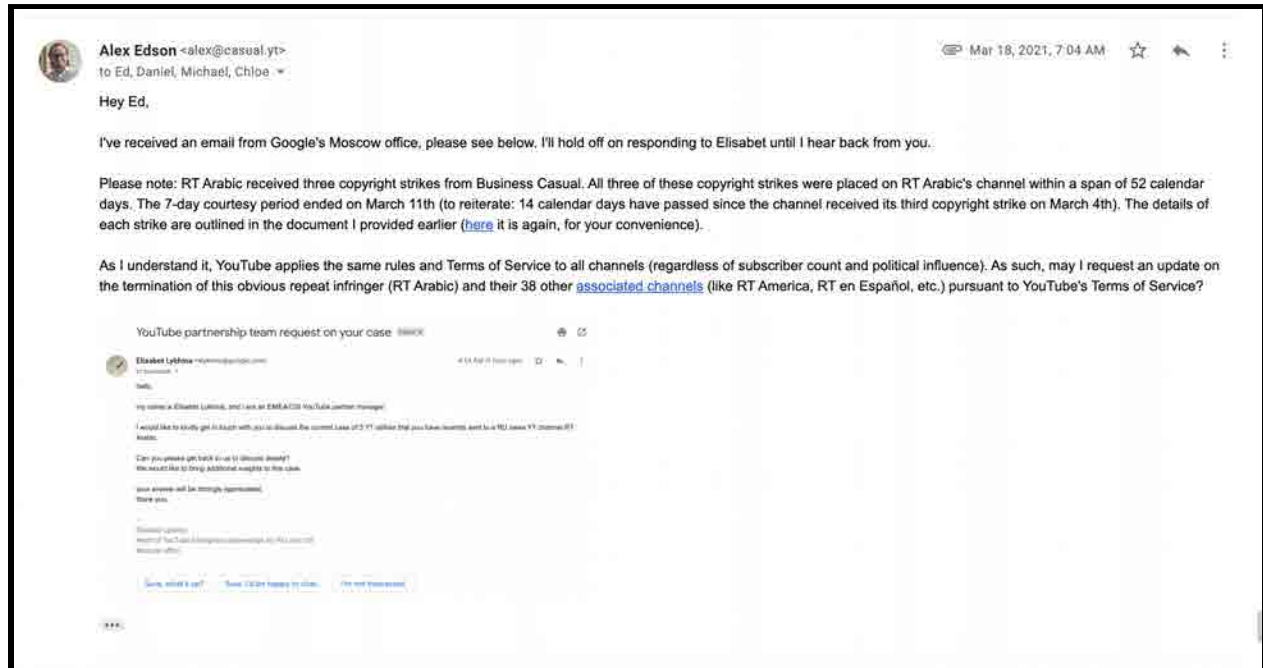
- <https://drive.google.com/file/d/1Hc51dPZ9wDcB68BIyc5k7rDbT27sHDdh/view>

Exhibit H



- https://drive.google.com/file/d/1_-WEemTuLjBpp6NCIMwVJ7W0twsuVV1Gj/view

Exhibit I



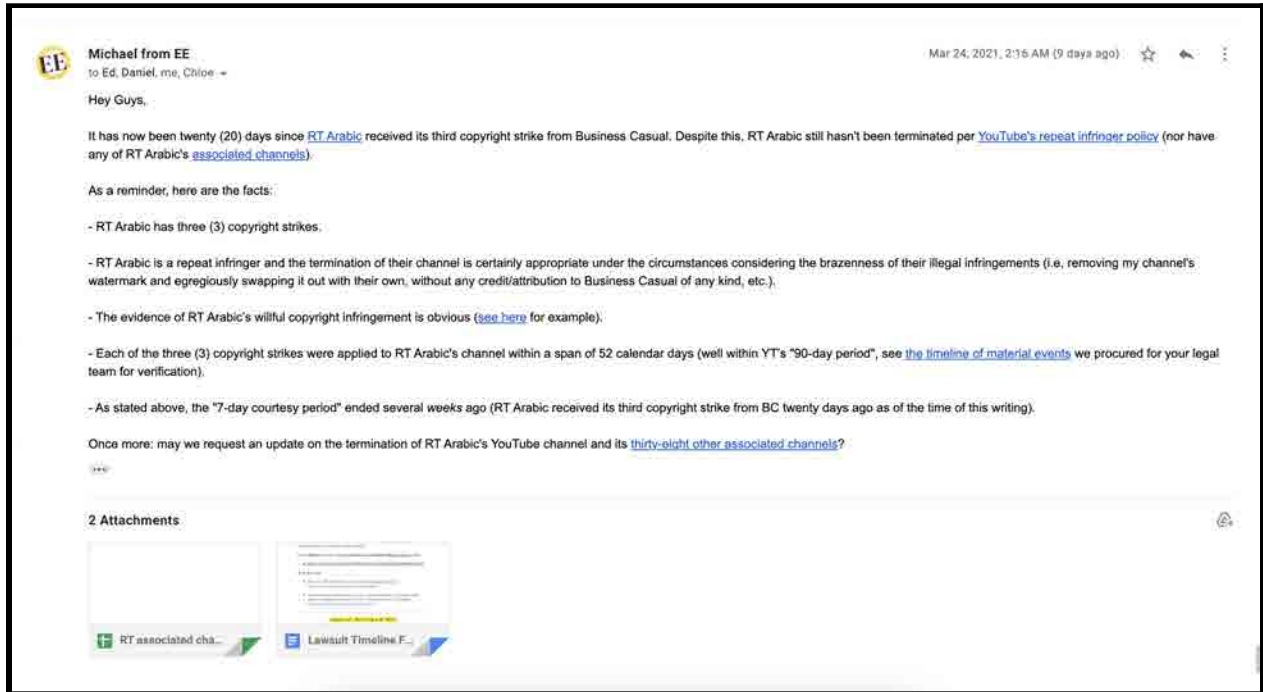
- <https://drive.google.com/file/d/1ZtnBZFzCpFp9d4p-pyhlevq7Utl5b6cE/view>

Exhibit J



- <https://drive.google.com/file/d/1IonULAWbLfpyTpk6nohfroKsbbUN4Ao6/view>
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Exhibit K



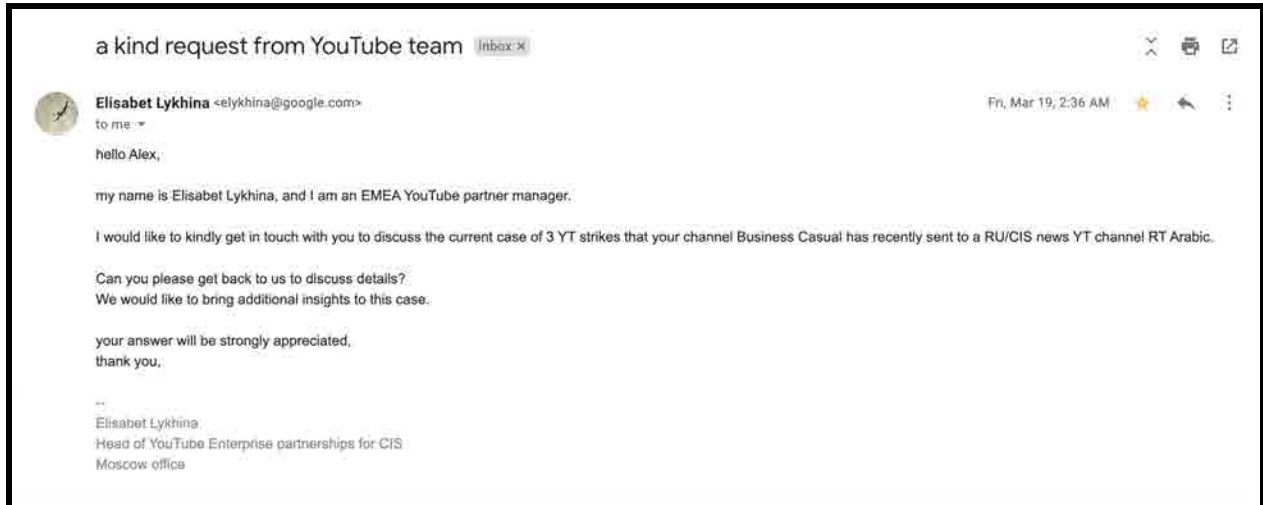
- <https://drive.google.com/file/d/18HOI5COOqAIBecoZXxeRYvH-aDlo02x5/view>

Exhibit L




- <https://drive.google.com/file/d/1TvmIZwJom0Gof-4nnMq8NXRQ5oBAPcJZ/view>
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Exhibit M





- <https://drive.google.com/file/d/1ggkYu2f8pEgWWusyJbP6ofa7ju1j1K13/view>


Exhibit N

**Elizabet Lykhina**
YouTube Content Partnerships at YouTube, Google

Experience

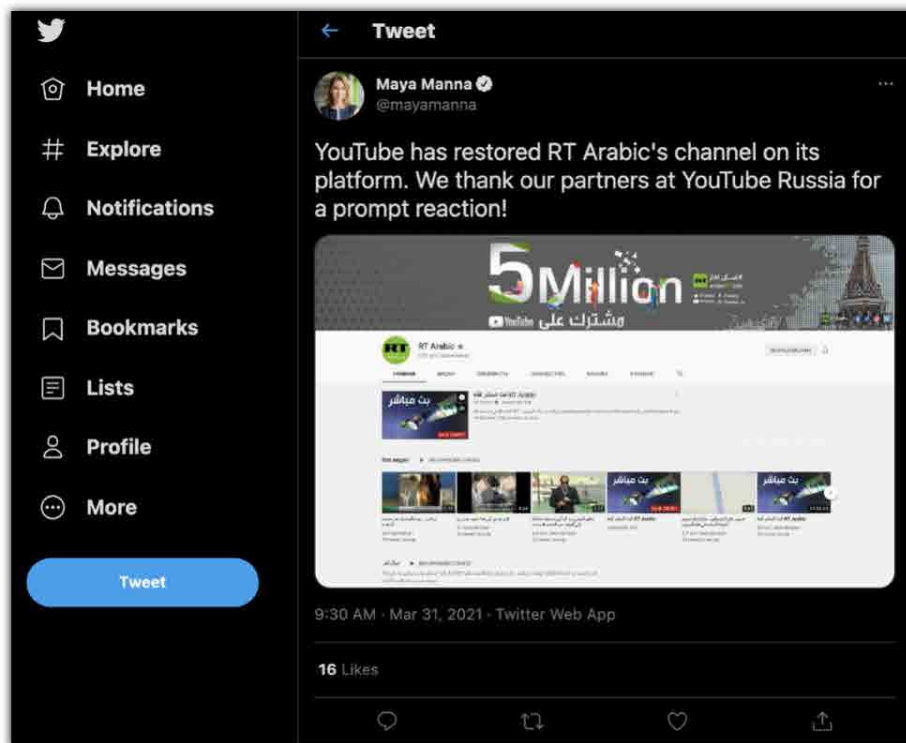
**YouTube Content Partnerships**
YouTube
Apr 2013 – Present · 8 yrs
Responsible for YouTube business development for top RU/CIS YouTube Enterprise partners ecosystem. Develop and grow global YouTube content export cluster.

**Manage production team**
state television channel Rossiya
Dec 2007 – Apr 2013 · 5 yrs 5 mos
Moscow, Russian Federation
Develop and grow the portfolio of brands to develop consistent synergy within TV, radio and Internet content. Determine areas for market growth and new segment development. Develop co-op production projects with major content partners to book and produce adapted global and local content.

**Manage marketing team**
Vimpelcom Beeline telecom
Sep 2004 – Oct 2007 · 3 yrs 2 mos
Key member of Beeline Rebranding 2005 campaign. Received company award for Rebranding campaign development and implementation. Performed a research to identify major limitations and positioning gaps of an "old" brand and determined key objectives and propositions for the new brand. Formed a team with Wolff Olins Creative agency, U...see more

- https://drive.google.com/file/d/1DoMPL5Yp4-92r_gwaAYJDOOrAnXiybRky/view

Exhibit O



- <https://drive.google.com/file/d/15IDWo66IXxgp0wcDs81ZdfUNmTdQx3rr/view>